

FILED

FEB 15 2005

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 AUSTIN DIVISION

CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 BY
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UNITED STATES OF AMERICA,) CRIMINAL NO. A-04-CR-252 SS
 Plaintiff,) S U P E R S E D I N G
 v.) I N D I C T M E N T
)
 MATTHEW LEE HERRINGTON, (1)) [Violation: 21 USC 846 -
 BRIAN HEATH FRIZZELL, (2)) Conspiracy to manufacture
 NOBLE CHRISTIAN LANDRY, and (3)) methamphetamine;
 CARLY LANETTE COX (4)) 21 USC 841(a)(1) - manufacture of
) methamphetamine.]
 USAO #

THE GRAND JURY CHARGES:

COUNT ONE
 [21 U.S.C. § 846]

Beginning in or about January, 2003, and continuing until on or about July 28, 2004, at San Marcos, Texas in the Western District of Texas, the Defendants,

MATTHEW LEE HERRINGTON,
 BRIAN HEATH FRIZZELL,
 NOBLE CHRISTIAN LANDRY and
 CARLY LANETTE COX

knowingly, intentionally and unlawfully combined, conspired, confederated, and agreed together and with others known and unknown to manufacture a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and in violation of Title 21, United States Code, Section 846.

COUNT TWO
[21 U.S.C. § 841(a)(1)]

In or about July, 2004 at San Marcos, Texas in the Western District of Texas, the Defendants,

MATTHEW LEE HERRINGTON,
BRIAN HEATH FRIZZELL,
NOBLE CHRISTIAN LANDRY, and
CARLY LANETTE COX

did knowingly, intentionally and unlawfully manufactured a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

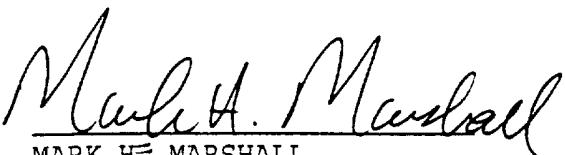
A TRUE BILL:



FOREMAN

JOHNNY SUTTON
UNITED STATES ATTORNEY

By:


MARK H. MARSHALL
Assistant U.S. Attorney